

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

HABER LAND CO. LTD.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 1:18-cv-04091-JMS-MJD
	)	
AMERICAN STEEL CITY INDUSTRIAL	)	
LEASING, INC., et al.	)	
	)	
Defendants.	)	

**ORDER ADOPTIONG REPORT AND RECOMMENDATION**

The Magistrate Judge has submitted his Report and Recommendation Dkt. [301] regarding the Joint Motion for Contribution Protection filed by Plaintiff Haber Land Co. Ltd. and Defendants Caterpillar Global Mining LLC ("Caterpillar"), Lucas-Fermat LLC ("Lucas"), and Mosey Real Estate, Inc. ("MRE") Dkt. [270], and the motions to join in that motion filed by Defendant ALD Indiana, LLC's ("ALD"), Dkt. [275], and Defendants GE Engine Services UNC Holding I, Inc., ("GE") and Mosey Manufacturing Co., Inc. ("Mosey Manufacturing") Dkt. [291]. The parties were afforded due opportunity pursuant to statute and the rules of this Court to file objections, but none were filed. The Court, having considered the Magistrate Judge's Report and Recommendation, hereby adopts the Magistrate Judge's Report and Recommendation in its entirety and orders the following:

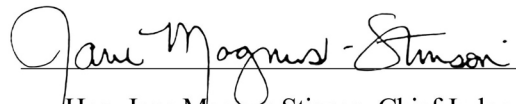
1. The parties' motions seeking a contribution bar Dkt. [270], Dkt. [275], and Dkt. [291] are **GRANTED** and the settlements between the Plaintiff and Defendants Caterpillar, Lucas, MRE, ALD, GE, and Mosey Manufacturing (the "Settling Defendants") are hereby approved. Pursuant to the All Writs Act, 28 U.S.C. §

1651(a), upon dismissal of this case, any federal, state, or common law contribution claim now or hereafter asserted against Settling Defendants relating to environmental contamination at or emanating from the property located at 588 Round Barn Road, Richmond, Indiana and/or the property located at 4600 National Road West, Richmond, Indiana, asserted by any party to this lawsuit or any person, agency, or entity not currently named a party to this lawsuit shall be barred.

2. The parties' joint motion to dismiss American Steel City Industrial Leasing, Inc. and General Recovery Recycling, LLC, Dkt. [298] is **GRANTED**. Accordingly, all claims against Defendants American Steel City Industrial Leasing, Inc. and General Recovery Recycling, LLC, are **DISMISSED WITHOUT PREJUDICE**.
3. The parties shall file a stipulation of dismissal that dismisses, with prejudice, the remaining claims in this case **within 30 days of the date of this Order**. In light of the parties' resolution of this matter, all pending motions not addressed in this Order are **denied as moot**.

SO ORDERED.

Date: 6/16/2020

  
Hon. Jane Magnus-Stinson, Chief Judge  
United States District Court  
Southern District of Indiana

Distribution:

Service will be made electronically on all ECF-registered counsel of record via email generated by the Court's ECF system.

Service via U.S. Mail:

AMERICAN STEEL INDUSTRIAL CITY  
INDUSTRIAL LEASING, INC.  
c/o Linda Marsteller  
2771 Henn Hyde Road, NE  
Warren, OH 44484

Additional Service via U.S. Mail:

AMERICAN STEEL INDUSTRIAL CITY  
INDUSTRIAL LEASING, INC.  
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NADER AND NADER  
7011 E. Market St.  
Warren, OH 44484